

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE

Call to Order: Chair Randy Brodehl, on January 23, 2017 at 9:00 A.M., in Room 317A Capitol

ROLL CALL

Members Present:

Rep. Randy Brodehl, Chair (R)
Sen. Ryan Osmundson, Vice Chair (R)
Rep. Kimberly Dudik (D)
Sen. David Howard (R)
Rep. Ryan Lynch (D)
Rep. Jimmy Patelis (R)
Sen. Cynthia Wolken (D)

Members Excused: None

Members Absent: None

Staff Present: Greg DeWitt, Legislative Branch
Alex Gray, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: Executive Action on Crime Control Division and Department of Justice

EXECUTIVE ACTION ON CRIME CONTROL DIVISION

00:00:04 Chair Brodehl

00:00:58 Greg Dewitt, Legislative Fiscal Division (LFD)

00:03:22 Chair Brodehl

00:04:54 **Motion/Vote:** Sen. Osmundson moved that **DP1 and DP3 BE ADOPTED AS REQUESTED**. Motion carried unanimously by voice vote.

00:05:09 **Motion/Vote:** Sen. Osmundson moved that **DP2 BE ADOPTED AS REQUESTED WITH SECTION A CHANGES**. Motion carried unanimously by voice vote.

00:05:25 **Motion:** Sen. Osmundson moved that **DP4 BE ADOPTED AS REQUESTED**.

Discussion:

00:05:43 Rep. Dudik

00:06:00 **Vote:** Motion carried unanimously by voice vote.

00:06:26 Greg Dewitt, LFD

00:06:31 **Motion/Vote:** Sen. Osmundson moved that **DP5 BE ADOPTED AS REQUESTED**. Motion carried unanimously by voice vote.

00:06:49 **Motion/Vote:** Sen. Osmundson moved that **DP6 BE ADOPTED AS REQUESTED**. Motion carried unanimously by voice vote.

00:07:18 Sen. Osmundson

00:07:29 Chair Brodehl

00:07:49 Greg Dewitt, LFD

00:07:56 **Motion/Vote:** Sen. Osmundson moved that **DP557 BE ADOPTED**. Motion carried unanimously by voice vote.

00:08:22 **Motion/Vote:** Sen. Osmundson moved that **ALL PASS-THROUGH GRANT AUTHORITY IS BIENNIAL BE ADOPTED**. Motion carried unanimously by voice vote.

00:08:50 **Motion/Vote:** Sen. Osmundson moved that **ALL REMAINING PASS-THROUGH GRANT APPROPRIATIONS, UP TO \$100,000 IN GENERAL FUND MONEY, \$180,000 IN STATE SPECIAL REVENUE, AND \$7 MILLION IN FEDERAL FUNDS, INCLUDING REVERSIONS, FOR THE 2017 BIENNIUM ARE AUTHORIZED TO CONTINUE AND ARE APPROPRIATED IN FISCAL YEAR 2018 AND FISCAL YEAR 2019 BE ADOPTED**. Motion carried unanimously by voice vote.

00:09:30 Chair Brodehl

EXECUTIVE ACTION ON DEPARTMENT OF JUSTICE

Legal Services Division:

- 00:09:44 **Motion/Vote:** Sen. Osmundson moved that **DP1 AND DP3 BE ADOPTED.**
Motion carried unanimously by voice vote.
- 00:10:20 **Motion/Vote:** Sen. Osmundson moved that **DP2 AS REQUESTED AND MODIFIED TO INCORPORATE THE RATE CHANGES ADOPTED BY THE GENERAL GOVERNMENT SUBCOMMITTEE. STAFF IS AUTHORIZED TO MAKE CHANGES AND REPORT BACK AFTER CHANGES ARE MADE BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:11:01 **Motion/Vote:** Sen. Osmundson moved that **DP557 FOR \$184,565 GENERAL FUND IN FY 2018 AND \$184,564 GENERAL FUND IN FY 2019, INCLUDING FUNDING FOR PERSONAL SERVICES TO FUND 2.00 FTE IN FY 2018 AND 2.00 FTE IN FY 2019 BE ADOPTED.** Motion carried unanimously by voice vote.
- 00:11:32 Greg Dewitt, LFD

Montana Highway Patrol:

- 00:12:24 **Motion/Vote:** Sen. Osmundson moved that **DP302 FOR 1,102,000 STATE SPECIAL REVENUE IN FY 2018 AND 1,102,000 STATE SPECIAL REVENUE IN FY 2019 PER SUBCOMMITTEE RECOMMENDATION BE ADOPTED.**
Motion carried unanimously by voice vote.
- 00:12:57 **Motion:** Sen. Osmundson moved that **DP305 FOR 152,000 STATE SPECIAL REVENUE IN FY 2018 AND 152,000 STATE SPECIAL REVENUE IN FY 2019 PER SUBCOMMITTEE RECOMMENDATION BE ADOPTED.**

Discussion:

- 00:13:18 Amy Sassano, Office of Budget and Program Policy (OBPP)
- 00:13:32 Vice Chair Osmundson
- 00:13:42 Greg Dewitt, LFD
- 00:13:59 Amy Sassano, OBPP
- 00:14:28 Rep. Dudik
- 00:14:47 Vice Chair Osmundson
- 00:15:27 Amy Sassano, OBPP
- 00:15:42 Chair Brodehl
- 00:16:02 Amy Sassano, OBPP
- 00:16:21 Rep. Dudik
- 00:16:47 Chair Brodehl
- 00:17:05 **Vote:** Motion carried unanimously by voice vote.

Justice Information Services:

- 00:17:18 **Motion/Vote:** Sen. Osmundson moved that **DP401 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION REDUCED FROM EXECUTIVE.**
Motion carried unanimously by voice vote.
- 00:18:00 Rep. Lynch left the meeting.
- 00:18:10 **Motion/Vote:** Sen. Osmundson moved that **DP 557 FOR \$125,423 GENERAL FUND AND \$3,659 STATE SPECIAL REVENUE IN FY 2018 AND \$125,423 GENERAL FUND AND \$3,659 STATE SPECIAL REVENUE IN FY 2019 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION.** Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.
- 00:19:07 Rep. Dudik
- 00:19:17 **Motion/Vote:** Sen. Osmundson moved that **DP502 for \$38,509 GENERAL FUND IN FY 2018 AND \$38,509 GENERAL FUND IN FY 2019 BE ADOPTED.**
Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.
- 00:20:08 Vice Chair Osmundson
00:20:16 Greg Dewitt, LFD
- 00:20:21 **Motion/Vote:** Sen. Osmundson moved that **DP504 FOR \$504,370 STATE SPECIAL REVENUE IN FY 2018 AND \$380,495 STATE SPECIAL REVENUE IN FY 2019 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.
- 00:21:07 **Motion/Vote:** Sen. Osmundson moved that **DP557 FOR \$238,393 GENERAL FUND AND \$202,373 STATE SPECIAL REVENUE IN FY 2018 AND \$253,393 GENERAL FUND AND \$202,373 STATE SPECIAL REVENUE IN FY 2019, INCLUDING FUNDING FOR PERSONAL SERVICES TO FUND 1.00 FTE IN FY 2018 AND 1.00 FTE IN FY 2019 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION.** Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

Legal Services:

- 00:21:54 **Motion/Vote:** Sen. Osmundson moved that **PROPRIETARY RATES OF \$106 PER HOUR FOR ATTORNEYS AND \$62 PER HOUR FOR INVESTIGATORS BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

Gambling Control:

- 00:22:26 **Motion/Vote:** Sen. Osmundson moved that **DP557 FOR \$143,990 STATE SPECIAL REVENUE IN FY 2018 AND \$143,990 STATE SPECIAL REVENUE IN FY 2019 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION.**
Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

Forensic Science Division:

00:23:06 **Motion/Vote:** Sen. Osmundson moved that **DP801 FOR \$323,642 GENERAL FUND AND \$149,801 STATE SPECIAL REVENUE IN FY 2018 AND 325,801 GENERAL FUND AND \$149,801 STATE SPECIAL REVENUE IN FY 2019 BE ADOPTED. FEDERAL AS REQUESTED GENERAL FUND PER SUBCOMMITTEE RECOMMENDATION** . Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

00:23:48 **Motion/Vote:** Sen. Osmundson moved that **DP803 FOR \$550,541 GENERAL FUND IN FY 2018 AND \$510,667 GENERAL FUND IN FY 2019, INCLUDING FUNDING FOR PERSONAL SERVICES TO FUND 5.00 FTE IN FY 2018 AND 5.00 FTE IN FY 2019 BE ADOPTED**. Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

Motor Vehicle Division:

00:24:30 **Motion/Vote:** Sen. Osmundson moved that **DP557 FOR \$31,961 GENERAL FUND AND \$268,805 STATE SPECIAL REVENUE IN FY 2018 AND \$31,960 GENERAL FUND AND \$268,804 STATE SPECIAL REVENUE IN FY 2019 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION**. Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

00:25:15 **Motion/Vote:** Sen. Osmundson moved that **DP901 FOR \$130,567 GENERAL FUND IN FY 2018 AND \$136,980 GENERAL FUND IN FY 2019 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION**. Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

00:25:53 **Motion:** Sen. Osmundson moved that **DP902 FOR \$146,117 GENERAL FUND AND \$97,410 STATE SPECIAL REVENUE IN FY 2018 AND \$146,117 GENERAL FUND AND \$97,410 STATE SPECIAL REVENUE IN FY 2019 BE ADOPTED AS REQUESTED**.

Discussion:

00:25:59 Rep. Dudik

00:26:08 **Vote:** Motion carried 6-1 by voice vote with Rep. Lynch voting no. Rep. Lynch voted by proxy.

Central Services:

00:26:35 **Motion/Vote:** Sen. Osmundson moved that **DP557 FOR \$15,062 STATE SPECIAL REVENUE IN FY 2018 AND \$15,062 STATE SPECIAL REVENUE IN FY 2019, INCLUDING FUNDING FOR PERSONAL SERVICES TO FUND 0.50 FTE IN FY 2018 AND 0.50 FTE IN FY 2019 BE ADOPTED PER SUBCOMMITTEE RECOMMENDATION**. Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

Public Safety Officer Standards & Training Program:

00:27:27 **Motion:** Sen. Osmundson moved that "THE NATURAL RESOURCE DAMAGE PROGRAM SHALL USE THE MAJOR LITIGATION FUNDS AVAILABLE TO THE DEPARTMENT OF JUSTICE TO INITIATE, INVESTIGATE, AND PURSUE NECESSARY LEGAL ACTION IN CURRENT OR NEWLY DAMAGED SITES" BE ADOPTED.

Discussion:

00:27:51 Greg Dewitt, LFD

00:28:10 Amy Sassano, OBPP

00:28:43 **Vote:** Motion carried unanimously. Rep. Lynch voted by proxy.

00:28:56 **Motion/Vote:** Sen. Osmundson moved that "MONTANA HIGHWAY PATROL INCLUDES FUNDING TO HOLD INMATES IN COUNTY JAILS. IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT OF JUSTICE MAY PAY NO MORE THAN \$69 PER DAY TO HOLD AN INMATE IN ANY COUNTY JAIL" BE ADOPTED. Motion carried unanimously by voice vote. Rep. Lynch voted by proxy.

00:29:50 Greg Dewitt, LFD

ADJOURNMENT

Adjournment:
00:30:19

Alex Gray, Secretary

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Additional Documents:

EXHIBIT([jch16aad.pdf](#))